

DCT 27 2004  
Pauley, JUNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

METROKANE, INC.,

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,

Defendant.

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #: 04 Civ. 0402 (WHP)  
 DATE FILED: 10/28/04

04 Civ. 0402 (WHP)  
04 C.V. 0402

**STIPULATION OF  
DISMISSAL  
WITH PREJUDICE**

IT IS HEREBY STIPULATED, by and between the undersigned, all parties in the above-captioned action, that this action, and all claims asserted therein by Plaintiff and Defendant, are hereby dismissed with prejudice, with costs to neither party.

DARBY &amp; DARBY P.C.

By: Andrew Baum  
 Dated: October 25, 2004

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 COSTCO WHOLESALE CORPORATION

SO ORDERED:

Date: 10/28/04

W.H. Pauley, Jr.  
 The Honorable William H. Pauley  
 U.S. District Judge, Southern District of New York